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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,198	08/29/2000	Ronald S. Cok	81472THC	8639
1333	7590	07/22/2004	EXAMINER	
PATENT LEGAL STAFF EASTMAN KODAK COMPANY 343 STATE STREET ROCHESTER, NY 14650-2201			LE, UYEN CHAU N	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 07/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/650,198

Applicant(s)

COK ET AL.

Examiner

Uyen-Chau N. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>30502</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “image bearing article, comprising: a support; a visible image recorded on the support; and invisible information recorded on the support” (claims 1 and 22) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement of drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

2. Claims 8-11, 13-18, 22, 29, 32 and 34-37 are objected to because of the following informalities:

Re claim 8, line 2: Substitute "the scene" with -- scene --.

Re claim 9, line 2: Substitute "the scene" with -- scene --.

Re claim 10, line 2: Substitute "the image" with -- the visible image --.

Re claim 11, line 1: Substitute "the image" with -- the visible image --.

Re claim 13, line 2: Substitute "the difference" with -- a difference --.

Re claim 14, line 1: Substitute "the image" with -- the visible image --.

Re claim 15, line 1: Substitute "the image" with -- the visible image --.

Re claim 16, line 1: Substitute "the image" with -- the visible image --.

Re claim 17, line 2: Substitute "the ultraviolet" with -- ultraviolet --.

Re claim 17, line 2: Substitute "the spectrum" with -- spectrum --.

Re claim 18, line 2: Substitute "the infrared" with -- infrared --.

Re claim 18, line 2: Substitute "the spectrum" with -- spectrum --.

Re claim 22, line 4: Substitute "the support" with -- a support --.

Re claim 29, line 2: Substitute "the scene" with -- scene --.

Re claim 30, line 2: Substitute "the scene" with -- scene --.

Re claim 32, line 1: Substitute "the image" with -- the photographic image --.

Re claim 35, line 1: Substitute "the difference" with -- a difference --.

Re claim 36, line 1: Substitute "the image" with -- the visible image --.

Re claim 37, line 1: Substitute "the image" with -- the visible image --.

Re claim 16, line 1: Substitute "the image" with -- the visible image --.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 6-11, 17, 19-23, 27-32, 38 and 40-42 are rejected under 35 U.S.C. 102(b) as being anticipated by Wang et al (US 5,337,361).

Re claims 1-2, 6-11, 17, 19-23, 27-32, 38 and 40-42: Wang et al discloses (figs. 1A-1D; col. 3, line 50 through col. 5, line 38) an image bearing article, comprising: a support 16; a visible image 17, which can be a graphic/computer generated image or a photograph, recorded on the support 16 (fig. 1; col. 3, line 52+); and invisible information 18 recorded on the support 16, the invisible information 18 relating to and in registration with elements of the visible image 17; wherein the invisible information 18 is detectable in the ultraviolet region of the spectrum (col. 3, lines 67+); wherein the article contains a temporal sequence of images (col. 5, lines 35+).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 3-5, 12, 18, 24-26, 33 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al in view of Williams et al (US 6,610,386). The teachings of Wang et al have been discussed above.

Re claims 3-5, 12, 18, 24-26, 33 and 39: Wang et al have been discussed above but fails to teach or fairly suggest that the invisible information is recorded as a pattern of invisible ink/invisible dye; the invisible information is detectable in the infrared region of the spectrum.

Williams et al teaches the invisible patterns on sheet 14 is recorded as a pattern of invisible ink/dye (fig. 3; col. 3, lines 45+) and the invisible information is absorbed in the IR or UV regions (col. 3, lines 58+).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to use invisible ink/dye as taught by Williams et al to record the invisible information of Wang et al in order to provide Wang et al with a more secure system wherein the invisible information only absorb in the infrared or ultraviolet regions. Furthermore, the

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luminescent property of the invisible ink/dye in the infrared or ultraviolet regions would enhance the reading quality, and thus producing a more accurate result/system.

8. Claims 13-16 and 34-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al in view of Rhoads (US 6,252,963). The teachings of Wang et al have been discussed above.

Re claims 13-16 and 34-37: Wang et al have been discussed above but fails to teach or fairly suggest that the visible image is a constrained image and the invisible information represents the difference between the constrained image and an unconstrained version of the image.

Rhoads teaches a constrained image and the invisible information represents the difference between the constrained image and an unconstrained version of the image (figs. 22-26 and 28; col. 3, lines 34-50; col. 58, line 64 through col. 63, line 22).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the teachings of the teachings of Rhoads into the system as taught by Wang et al in order to provide Wang et al with a more secure system wherein a constrained image and related information on the card/medium can be verified readily with an unconstrained version of the image (i.e., digital image taken of customer).

### ***Conclusion***


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The patents to Drexler (US 4,745,268); Silverman et al (US 4,213,038); Haddock et al (US 4,818,852); Wang et al (US 5,490,217); D'Entremont et al (US 5,646,388); Priddy (US 5,984,366); Field (US 6,734,887); Ohanian et al (US 6,109,526); Idelson et al (US 4,151,667); Annenberg (US 3,755,935) are as of interest and illustrate to a similar structure of a non-image pixel data stored on hard-copy image media.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen-Chau N. Le whose telephone number is 571-272-2397. The examiner can normally be reached on Mon, Wed. and Fri. 5:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MICHAEL G LEE can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
*Uyen-Chau N. Le*  
June 25, 2004

  
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